



**Written Testimony of Representative Garey Bies  
Assembly Committee on Criminal Justice  
Assembly Bill 232 – Felony Hit and Run**

Good morning committee members, I appreciate the opportunity to submit my testimony in support of Assembly Bill 232, relating to duties upon striking a person or an attended or occupied vehicle and providing a penalty.

This bill is straight forward and came to me at the request of Dane County District Attorney Brian Blanchard. Currently, there is a conflict in the statutes as it relates to hit and run incidents involving injury. Under Chapter 346.74(5)(b) injury hit and run incidents can be ruled, and are ruled as misdemeanors. However, under Chapter 346.74(5)(e) injury hit and run incidents can be charged as felonies. The statutes lack clear direction. Assembly Bill 232 provides that direction by establishing that injury hit and run incidents are felonies.

The question with this legislation is not whether the conflict within Chapter 346 should be resolved, but whether an injury hit and run should be a felony. It is my opinion as a former law enforcement officer that if an individual has such disregard for the welfare of another that they would leave the scene of an accident without checking on the well-being of others and an injury is involved, they should be charged with a felony.

I should also mention that Legislative Council recently brought to my attention a ruling this past summer in Circuit Court that gave some clarification to the statutes in this area. However, I would still maintain the importance of the legislation. If the courts agree with what this legislation is trying to accomplish, then the relevance of this legislation is not lessened in the slightest.

Thank you for the opportunity to come before you today to present Assembly Bill 232. As I mentioned, this bill is pretty simple, so at this time I would be happy to take any questions that you may have.

*First for Wisconsin!*

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